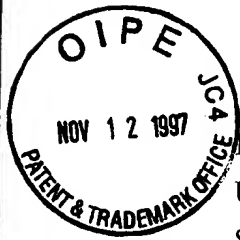


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL FORM

In re Application of

ULRICH *et al.*

Serial No.: 08/882,431

Filed: June 25, 1997

For: Bacterial Superantigen Vaccines

Examiner:

Group Art Unit:

Attny Docket: 003/037/SAP

Date: November 11, 1997

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

Transmitted for filing herewith are the following items:

☒ Response to Notice to File Missing Part of Application

<input checked="" type="checkbox"/> Statutory basic filing fee of	\$ 770.00
<input checked="" type="checkbox"/> Additional claim fees of	\$ 2,058.00
Surcharge required <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	\$ 130.00

<input checked="" type="checkbox"/> Computer readable form of Sequence Listing	
Surcharge required <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	\$ -0-

☒ Paper readable form of Sequence Listing

☐ Enter any previous extension fee paid since last Action-
subtract - \$ -0-

Fee required \$2,958.00

☐ Small entity verified statement filed ☐ herewith ☐ previously.

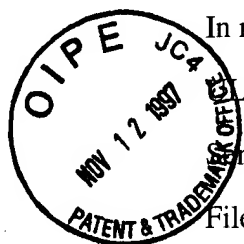
Please charge the above fee and any missing or inadequate fee re this paper to
Deposit Account No. **21-0380** for which purpose a duplicate copy of this sheet is
attached.

I hereby certify that this correspondence is being deposited with the United States
Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date of
November 11, 1997.

Respectfully submitted,

Sana A. Pratt, Reg. No. 39,441
Tel.: 301-294-9171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of

BRICH et al.

Serial No.: 08/882,431

Filed: June 25, 1997

Examiner: Unknown

Group Art Unit : Unknown

Attny Docket: 003/037/SAP

For: Bacterial Superantigen Vaccines

November 11, 1997

RESPONSE TO NOTICE TO COMPLY

Honorable Commissioner of
Patents and Trademarks
Box Sequence
Washington, D. C. 20231

Sir:

This is in response to the Notice to File Missing Parts dated September 11, 1997 in the subject application. Herewith submitted is a substitute paper and computer readable form (CRF) copy of the "Sequence Listing" in the subject application.

In re Application of Ulrich et al.
Serial no. 08/882,431
Response to Notice to Comply, Page 2

Kindly substitute pages 70-82 of the originally filed application with the substitute pages 70-95 filed herewith containing the corrected sequence listing. Kindly renumber originally filed pages 83-97 as pages 96-110 to maintain consecutive page numbers throughout the application. Renumbered pages 96-110 are enclosed to decrease possibility of error. I hereby state that the substitute paper and computer readable form of the "Sequence Listing" and the renumbered pages 96-110 do not contain new matter.

Entry of the corrected Sequence Listing is respectfully requested.

Respectfully submitted,

By *John F. Moran* Reg. No. 39,441
John F. Moran
Reg. No. 26,313

U.S. A. MPMC
504 Scott Street
Fort Detrick, MD 21702-5012
ATTN: MCMR -JA (John Moran-Patent Atty)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the

Commissioner of Patents
Washington, D.C. 20231

on November 11, 1997.

By *Sana A. Pratt*
Sana A. Pratt
Reg. No. 39,441

08/882431

Application No. 08/882431

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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5/882,431 06/25/97 ULRICH

R 003/037/SAP

0242/0911

NOT ASSIGNED

MCMR JA JOHN MORAN
U S ARMY MEDICAL RESEARCH & MATERIEL COM
504 SCOTT STREET
FORT DETRICK MD 21702-5012

DATE MAILED: 1215

09/11/97

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130 for ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.18(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 2956.

- ☒ 1. The statutory basic filing fee is:

~~missing.~~

☐ Insufficient.

Applicant must submit \$ 170
statement claiming such status (37 CFR 1.27).
1050

2. Additional claim fees of \$ 2058, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:

☐ is missing.

☐ does not cover the newly submitted items.

☐ does not cover the newly submitted matter.

☐ does not identify the application to which it applies.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

☐ does not include the city and state or foreign country of applicant's residence.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are:

☐ missing.

☐ missing.

☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- the above Application Number and Filing Date, is required.
- ☐ 6. A \$_____ processing fee is required since your check was returned without payment (37 CFR 1.821(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☒ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER: _____

☐ 9. OTHER: Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response

Customer Service Center

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37 CFR 1.2

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2058.00 CH
130.00 CH
03 FC:105